

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2535 - SB 2574**

February 17, 2022

**SUMMARY OF BILL:** Requires nursing homes and assisted-care living facilities to allow at least one resident representative, who meets certain conditions, to visit a resident of the facility during end-of-life situations if a disaster, emergency, or public health emergency for COVID-19 has been declared. Specifies exceptions to this law, including that the representative's presence must not violate any federal or state law, rule, or guidance.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to the proposed legislation, resident representative means a family member or other individual that acts on behalf of the resident in order to support with decision-making, access medical, social, or other personal information of the resident, manage financial matters, or receive notifications.
- Any cost associated with ensuring resident representatives meet certain requirements and protocols is estimated to be not significant.
- Nursing home and assisted care living facilities are required to follow federal law to the extent there is conflict regarding state-based visitation regulations and the Centers for Medicare and Medicaid Services rules for those facilities. However, this legislation states that a representative's presence must not violate any federal or state law, rule, or guidance. Therefore, there will not be a significant fiscal impact to state or local government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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